

UNITED STATES DISTRICT COURT  
FOR DISTRICT OF MASSACHUSETTS

DOCKET NUMBER: 04-10195

UNITED STATES OF AMERICA

V

DEFENDANT'S TO WITHDRAW

MICHAEL PINA

Now comes Attorney Clifford Samuel Sutter, counsel for the defendant, MICHAEL PINA, and moves that this Honorable Court permit him to withdraw from this case.

As grounds, therefore, Attorney Sutter states that he will not be able to represent the defendant any more because of a personal career decision that he has made. Attorney Sutter has decided to run for District Attorney of Bristol County, Massachusetts. The election will take place on September 19, 2006. Pursuant to this decision to run for District Attorney, Attorney Sutter has greatly reduced his criminal caseload, particularly his most serious cases. Attorney Sutter now has no appearances scheduled in Superior Court or United States District Court between June 17, 2006 and September 12, 2006. Attorney Sutter intends to make no appearances whatsoever in court between July 1, 2006 and September 19, 2006.

WHEREFORE, the Attorney Sutter moves that this Honorable Court permit him to withdraw from this case.

By his attorney,

/s/ C. Samuel Sutter kms

C. Samuel Sutter  
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AFFIDAVIT IN SUPPORT

MICHAEL PINA

I, Clifford Samuel Sutter, do solemnly swear upon my oath that the following statements are true to the best of my knowledge and belief:

1. I am a duly licensed attorney with a law office located at 203 Plymouth Avenue, Fall River, Massachusetts.
2. I have represented the defendant, Michael Pina for approximately twenty-one months.
3. I recently spoke to Mr. Pina over the telephone.
4. I explained to him that I had decided to run for District Attorney of Bristol County and, that as a result of that decision, I was not going to have as much time as I wanted to prepare for his case.
5. I also told him that, in the event I won the election, I would have to withdraw from his case, if his trial or his sentencing was still pending.
6. He agreed that it would be in his best interest to have a new attorney.
7. Since my discussion with Mr. Pina he has met with at least two attorneys about replacing me as his attorney.

/s/ Clifford Samuel Sutter  
Clifford Samuel Sutter